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6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS
PENSION TRUST FUND, et al.,

11 Plaintiffs,

12 v.

13 WAYNE JOSEPH ESPINOSA, individually
and *dba* PROFESSIONAL PAINTERS &
14 DECORATORS, *aka* PROFESSIONAL
PAINTERS & DECORATORS OF CA, *aka*
15 PROFESSIONAL PAINTERS OF CAL, *aka*
SAN FRANCISCO RESTORATION,

16 Defendant.
17

Case No.: C10-3895 TEH

NOTICE OF VOLUNTARY DISMISSAL

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19 PLEASE TAKE NOTICE that pursuant to F.R.C.P. Rule 41(a)(1), Plaintiffs BAY AREA
20 PAINTERS AND TAPERS PENSION TRUST FUND, et al., voluntarily dismiss, without
21 prejudice, their claim against Defendant WAYNE JOSEPH ESPINOSA, individually and doing
22 business as PROFESSIONAL PAINTERS & DECORATORS, also known as PROFESSIONAL
23 PAINTERS & DECORATORS OF CA, also known as PROFESSIONAL PAINTERS OF CAL,
24 also known as SAN FRANCISCO RESTORATION. Defendant has not moved for summary
25 judgment, and Plaintiffs have not previously filed or dismissed any similar action against
26 Defendant.

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1 It is therefore requested that this action be dismissed without prejudice, and that the Court
2 shall retain jurisdiction over this matter.

3 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-
4 entitled action, and that the foregoing is true of my own knowledge.

5 Executed this 30th day of December, 2010, at San Francisco, California.

6 SALTZMAN & JOHNSON
7 LAW CORPORATION

8 By: _____/s/_____
9 Muriel B. Kaplan
10 Attorneys for Plaintiffs

11 IT IS SO ORDERED.

12 This case is dismissed without prejudice and the Court shall retain jurisdiction over this
13 matter.

14
15 Date: 01/03/2011 _____

